

Date of Deposit: November 29, 2004

Docket No. Cura 904



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Shimkets et al.
SERIAL NUMBER: 10/644,469 EXAMINER:
FILING DATE: August 20, 2003 ART UNIT: To Be Determined
FOR: Methods for Diagnosing and Treatment of Conditions That Alter Phosphate Transport in Mammals

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Response to Notice to File Missing Parts
2. Petition for Three Month Extension of Time
3. Preliminary Amendment
4. Combined Declaration and Power of Attorney
5. Assignments
6. Return Postcard

The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No.502648, Reference No.Cura 904

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mei L. Benni".

Mei L. Benni (Reg No. 45,470)
Patent Attorney
CuraGen Corporation
555 Long Wharf Drive
New Haven, CT 06511
(203) 974-6310 phone
(203) 401-3351 fax

Dated: November 29, 2004



EXPRESS MAIL NO.: EV 490 407 238 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shimkets and Carpenter

Confirmation No.: 6214

Application No.: 10/644,469

Group Art Unit: To Be Determined

Filed: August 20, 2003

Examiner:

For: METHODS FOR DIAGNOSING AND
TREATMENT OF CONDITIONS THAT
ALTER PHOSPHATE TRANSPORT IN
MAMMALS

Attorney Docket No.: Cura-904

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

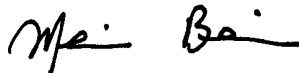
Sir:

In response to the Notice To File Missing Parts of Nonprovisional Application dated June 28, 2004 ("Notice," a copy of which is submitted herewith) in connection with the above-identified application, Applicants hereby submit: (1) Combined Declaration and Power of Attorney For Patent Application executed by co-inventors Richard A. Shimkets and Thomas O. Carpenter, respectively, in two counterparts; (2) replacement drawings including Figures 1-4 in compliance with 37 C.F.R. §§ 1.84 and 1.121, and Preliminary Amendment; (3) a Petition to Extend time with required fees; and (4) a copy of each assignment executed by co-inventors Richard A. Shimkets and Thomas O. Carpenter, respectively. The assignments are filed concurrently to the USPTO for recordation under a separate cover.

The Commissioner for Patent is also authorized to charge to Deposit Account No. 502684 the late filing fee or oath or declaration surcharge as set forth in 37 C.F.R. § 1/16(e) of \$65, as indicated in the Notice.

Respectfully submitted,

Date: November 29, 2004



45,470

Mei L. Benni

(Reg. No.)

CuraGen Corporation

555 Long Wharf Drive, 9th Floor

New Haven, CT 06511

Tel: (203) 974-6306

Fax: (203) 401-3351

Enclosures



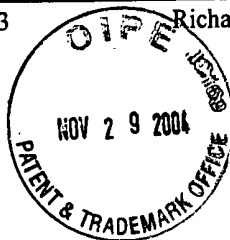
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	NOV 2 9 2004	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/644,469		08/20/2003	Richard A. Shimkets	21402-604 (Cura-904)

30623

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111



CONFIRMATION NO. 6214

FORMALITIES LETTER



OC000000013078493

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 3.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Done By	
<input type="checkbox"/> Data Entry	0126/1126
<input checked="" type="checkbox"/> Docket Entry	05 Final
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

10544469

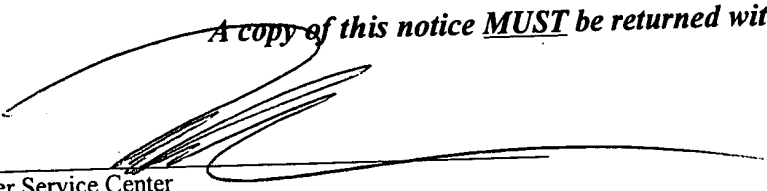
12/03/2004 WADDELRI 00000043 502684

65.00 DA

01 FC:2051

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY